

**STATE OF WASHINGTON
DEPARTMENT OF FINANCIAL INSTITUTIONS
CONSUMER SERVICES DIVISION**

IN THE MATTER OF DETERMINING
Whether there has been a violation of the
Check Cashers and Sellers Act of Washington by:

NO. C-04-086-05-CO05

PFH, Inc., dba FAST CASH LOANS and
LOAN EX, and JONATHAN BLAKE
GOLDBERG, President and Chief Executive
Officer, and STEVE H. SELVAR, Collections
Manager, and MICHAEL D. FRYE, Collections
Employee, and MARGARET COOK, Collections
Employee,

CONSENT ORDER

JONATHAN BLAKE GOLDBERG

Respondents.

COMES NOW the Director of the Department of Financial Institutions (Director), through his designee Chuck Cross, Division Director, Division of Consumer Services, and Jonathan Blake Goldberg (Respondent Goldberg) by and through his attorney Laurence B. Finegold, and finding that the issues raised in the captioned matter may be economically and efficiently settled, agree to the entry of this Consent Order. This Consent Order is entered pursuant to chapter 31.45 of Revised Code of Washington (RCW), and RCW 34.05.060 of the Administrative Procedure Act, based on the following:

AGREEMENT AND ORDER

The Department of Financial Institutions, Division of Consumer Services (Department) and Respondent Goldberg have agreed upon a basis for resolution of the matters alleged in Statement of Charges No. C-04-086-04-SC01 (Statement of Charges) entered September 24, 2004, (copy attached hereto). Pursuant to chapter 31.45 RCW, the Check Cashers and Sellers Act (Act) and RCW 34.05.060 of the Administrative Procedure Act, Respondent Goldberg hereby agrees to the Department's entry of this Consent Order and further agrees that the issues raised in the above captioned matter may be economically and efficiently settled by entry of this Consent Order. The parties intend this Consent Order to fully resolve all allegations raised in the Statement of Charges.

Based upon the foregoing:

CONSENT ORDER
JONATHAN BLAKE GOLDBERG

1

DEPARTMENT OF FINANCIAL INSTITUTIONS
Division of Consumer Services
150 Israel Rd SW
PO Box 41200
Olympia, WA 98504-1200

1 A. **Jurisdiction.** It is AGREED that the Department has jurisdiction over the subject matter of the
2 activities discussed herein.

3 B. **Waiver of Hearing.** It is AGREED that Respondent Goldberg has been informed of the right to a
4 hearing before an administrative law judge, and that Respondent Goldberg has waived the right to a hearing and
5 any and all administrative and judicial review of the issues raised in this matter, or of the resolution reached
6 herein. Accordingly, Respondent Goldberg agrees to withdraw his application for hearing and to inform the
7 Office of Administrative Hearings in writing of his withdrawal.

8 C. **No Admission of Liability.** The parties intend this order to fully resolve the Statement of Charges
9 and agree that Respondent Goldberg does not admit to any wrongdoing by its entry. Respondent Goldberg does
10 not admit that he has violated any laws as alleged in the Statement of Charges (No. C-04-086-04-SC01).

11 D. **Fine.** It is AGREED that Respondent Goldberg shall pay to the Department a fine of \$30,000.00, in
12 the form of a cashier's check made payable to the "Washington State Treasurer," upon entry of this order.

13 E. **Ban from Collection Activities.** Respondent Goldberg shall be banned from participation in the
14 conduct of any "collection activities" of Respondent PFH, Inc. and any check casher or seller or payday loan
15 company subject to licensure by the Director, beginning immediately upon entry of this order and continuing for a
16 period of three (3) years (36 months) from the date of entry of this order. For the purposes of this order,
17 "collection activities" shall mean any and all involvement in or control of any and all efforts to collect money
18 or its equivalent from former or current or future customers for amounts due on past due or delinquent
19 accounts.

20 F. **Ban from Industry.**

21 (1) Immediately upon entry of this order, Respondent Goldberg shall be banned from
22 participation in the conduct of the affairs of Respondent PFH, Inc. and any check casher or
23 seller or payday loan company subject to licensure by the Director for a period of twenty-four
24 (24) months, in any manner or capacity, including but not limited to: (a) any financial capacity
25 whether active or passive or (b) as an officer, director, principal, independent contractor
[excluding consultant as described in paragraph F(3)], or employee.

1 (2) This provision does not affect Respondent Goldberg's ability to be employed by or in
2 association with a check casher or seller or payday loan company subject to licensure by the
3 Director and operating in multiple states including Washington, SO LONG AS Respondent
4 Goldberg complies with the terms of this provision relating to any operations in the state of
Washington and SO LONG AS Respondent Goldberg files a sworn report as specified in
Paragraph G, which includes notifying the companies and employers of the existence and terms
of this order.

5 (3) If Respondent Goldberg wishes to act as a consultant or in any consultative role,
6 Respondent Goldberg must file a sworn report specifying the items required under Paragraph
7 G. In these circumstances, it is understood that Respondent Goldberg shall not engage in any
activities of the business or day-to-day operations and shall not exercise any management,
operational or supervisory authority.

8 (4) AS LONG AS Respondent Goldberg has fully complied with this order, Respondent
9 Goldberg may reduce the twenty-four (24) month term by twelve (12) months upon the
10 payment to the Department of an additional fine in the amount of \$10,000 in the form of a
cashier's check made payable to the "Washington State Treasurer."

11 (5) The additional fine of \$10,000, if Respondent Goldberg chooses to reduce the term of ban
12 pursuant to Paragraph F (4), is payable twelve (12) months from the date of entry of this order
and must be paid before the reduction in term becomes effective.

13 (6) In order to request a reduction in the term of the ban pursuant to paragraph F(4), the
following must occur:

- 14 a. Respondent Goldberg must make such request to the Department in writing no
15 later than thirty (30) days prior to twelve (12) months from the date of entry of this
order and no sooner than sixty (60) days prior to twelve (12) months from the date
16 of entry of this order;
- 17 b. The request must be addressed to the Department, Attention Enforcement Chief.
18 The Department, if satisfied that Respondent Goldberg has complied with all terms
of this order, will so notify Respondent Goldberg within twenty (20) days of
19 receipt of the request, and will indicate that upon timely payment of the additional
fine in the amount of \$10,000 the term shall be reduced by twelve (12) months;
- 20 c. The request must specify Respondent Goldberg's current mailing address.
- 21 d. The request must be accompanied by a sworn report including the items specified
in paragraph G.

22 (8) During the term of the ban, Respondent Goldberg shall refrain from applying to the
23 Department for any Check Casher or Check Seller license or Small Loan endorsement under
24 any name.
25

1 (9) The provisions of Paragraph F do not affect the terms of the ban from collection activities
2 described in Paragraph E.

3 **G. Regular Sworn Reports.** Immediately upon entry of this order Respondent Goldberg shall file a
4 sworn notarized report with the Department containing at a minimum the items specified below. During the
5 entire term of this order, if associated in any form with a company or organization subject to the Check Cashers
6 and Sellers Act or which has a Small Loan endorsement, Respondent Goldberg shall file a sworn notarized
7 report with the Department every three (3) months; in addition to these sworn notarized reports, Respondent
8 Goldberg shall file a sworn notarized report with the Department within 5 days of any change in business
9 relationship and employment circumstances which leads to his association with any company or organization
10 subject to the Check Cashers and Sellers Act or which has a Small Loan endorsement. The sworn notarized
11 reports at a minimum must include:

12 (1) Respondent Goldberg's current business arrangements, relationships, independent
13 contractor agreements, associations and employment;

14 (2) Respondent Goldberg's responsibilities and duties with each position, business
15 arrangement, relationship, independent contractor agreement, and association;

16 (3) Respondent Goldberg's statement that he is not and has not engaged in any collection
17 activities and is not and has not engaged in any banned activities;

18 (4) Respondent Goldberg's statement that he has informed the hiring and controlling
19 authorities of his current business arrangement, relationship, independent contractor
20 agreement, association or employer of the existence and terms of this order; and

21 (5) Respondent Goldberg's statement that he is in full compliance with the terms and
22 conditions of this order.

23 **H. Complete Cooperation with the Department.** During the entire term of this order Respondent
24 Goldberg shall cooperate fully, truthfully and completely with the Department. This shall include but not be
25 limited to Respondent Goldberg notifying the Department in writing of any change of his address within five (5)
days of such change. A failure to cooperate fully, truthfully and completely is a breach of this order.

1 I. **Compliance with the Law.** It is AGREED that Respondent Goldberg shall comply with the Check
2 Cashers and Sellers Act and the rules adopted thereunder when engaged in any activities subject to that statute.

3 J. **Non-Compliance with Order.** It is AGREED that Respondent Goldberg understands that failure
4 to abide by the terms and conditions of this Consent Order may result in further legal action by the Director. In
5 the event of such legal action, Respondent Goldberg may be responsible to reimburse the Director for the cost
6 incurred in pursuing such action, including but not limited to, attorney fees.

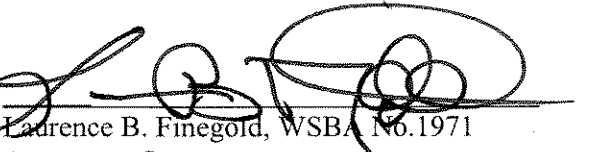
7 K. **Voluntarily Entered.** It is AGREED that the undersigned Respondent Goldberg has voluntarily
8 entered into this Consent Order, which is effective when signed by the Director's designee.

9 L. **Completely Read, Understood, and Agreed.** It is AGREED that Respondent Goldberg has read this
10 Consent Order in its entirety and fully understands and agrees to all of the same.

11 **RESPONDENT JONATHAN BLAKE GOLDBERG:**

12 
13 JONATHAN BLAKE GOLDBERG

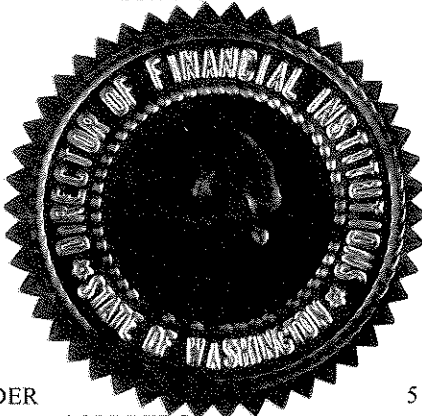
7-28-05
Date


14 
15 Lawrence B. Finegold, WSBA No. 1971
16 Attorney at Law
17 Attorney for Respondent Jonathan Blake Goldberg

8/2/05
Date

18 **DO NOT WRITE BELOW THIS LINE**

19
20 THIS ORDER ENTERED THIS 3rd DAY OF ^{August} ~~JULY~~ 2005.




CHUCK CROSS
Director
Division of Consumer Services
Department of Financial Institutions

CONSENT ORDER
JONATHAN BLAKE GOLDBERG

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DEPARTMENT OF FINANCIAL INSTITUTIONS
Division of Consumer Services
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Olympia, WA 98504-1200